



11-08-05

PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	Attorney Docket Number	10/696,384
	October 29, 2003	October 29, 2003
	Mahesh Chaubal	Mahesh Chaubal
	1615	1615
	Simon Oh	Simon Oh
	IFT-5657A-1A1C6 (3360.0003.02)	IFT-5657A-1A1C6 (3360.0003.02)

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.		
Signature			
Printed name	Raymond M. Mehler		
Date	November 7, 2005	Reg. No.	26,306

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Date	November 7, 2005

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PATENT

Attorney Docket No. IFT-5657A-1A1C6 (3360-0003.02)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: )  
Mahesh Chaubal et al. )  
Serial No.: 10/696,384 )  
Filed: October 29, 2003 )  
Group Art No.: 1615 )  
Examiner: Simon Oh )  
For: PROCESS FOR PRODUCTION OF )  
ESSENTIALLY SOLVENT-FREE )  
SMALL PARTICLES )

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2. Information Disclosure Statement (3 sheets);
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4. Foreign Patent Documents and Non-Patent Publications (40 Documents)
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Name: Barbara Gesiakowski

Signature: B. Gesiakowski



PATENT

Attorney Docket No. IFT-5657A-1A1C6 (3360-0003.02)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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NAME Barbara Gesiakowski

SIGNATURE B. Gesiakowski

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.97, Applicants hereby call the Examiner's attention to documents listed on the attached forms, which documents may be material to the examination of this application. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue

therefrom.

Copies of the U.S. patents and U.S. patent publications are not enclosed pursuant to the Office's waiving of the requirement under 37 C.F.R. §1.98, paragraph (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. Copies of the foreign patents and publications other than U.S. patents and U.S. patent application publications are enclosed, pursuant to 37 C.F.R. 1.98(2)(i) and (2)(ii).

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicants also respectfully reserve the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

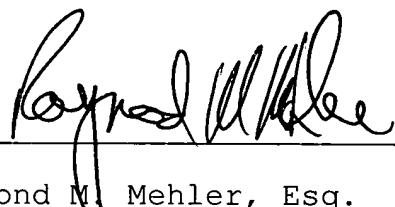
This Information Disclosure Statement is being submitted within three months of the filing date of the application or before the receipt of a first Office Action on the merits. Consequently, as provided in 37 C.F.R. § 197(b)(1) or (b)(3), a fee under § 1.17(p) is not required for the filing of this information disclosure. However, if it is determined that an additional fee is required, then authorization is hereby granted to charge Deposit Account 50-1039 any additional fee required.

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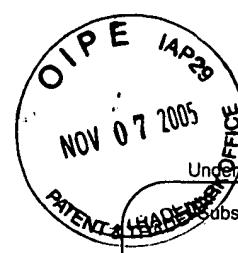
Respectfully submitted,

Date: November 7, 2005

By:



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Attorneys for Applicant



PTO/SB/08a (07-05)

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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet 1 of 4 Attorney Docket Number IFT-5657A-1A1C6 (3360-0003.02)

Application Number	10/696,384
Filing Date	October 29, 2003
First Named Inventor	Mahesh Chaubal
Art Unit	1615
Examiner Name	Simon Oh
Attorney Docket Number	IFT-5657A-1A1C6 (3360-0003.02Y)

## **U. S. PATENT DOCUMENTS**

**Examiner Signature** \_\_\_\_\_ **Date Considered** \_\_\_\_\_

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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

4

Application Number	10/696,384
Filing Date	October 29, 2003
First Named Inventor	Mahesh Chaubal
Art Unit	1615
Examiner Name	Simon Oh

Attorney Docket Number IFT-5657A-1A1C6 (3360-0003.02)

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> "Number" <sup>4</sup> "Kind Code" <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Appear, etc.
18	EP 0275 796 B2		07-27-1988	Centre Nat Rech Scient	
19	EP 0498 482 B1		08-12-1992	Sterling Winthrop Inc	
20	EP 0517 565 B1		12-09-1992	Fidia Sfa	
21	JP H2-306902		12-20-1990	Harmari Sangyo	
22	Patent Abst of JP H2-306902		12-20-1990	Harmari Sangyo	
23	WO 92/17214 A2		10-12-1992	Ranney	
24	WO 94/07999 A1		04-14-1994	Univ Brown Res Found	
25	WO 95/33488 A1		12-14-1995	Quadrant Holdings Cambridge Ltd	
26	WO 97/03651 A1		02-06-1997	Danbiosyst UK	
27	WO 98/01162 A2		01-15-1998	Univ Johns Hopkins	
28	WO 98/14170 A1		04-09-1998	Sloan Kettering Inst	
29	WO 98/24450 A1		06-11-1998	Nilsson	
30	WO 99/00113 A1		01-07-1999	Vivorx Pharmaceuticals Inc	
31	WO 99/39700 A1		08-12-1999	Vectorpharma SPA	
32	WO 99/59550 A1		11-25-1999	Liposome Co.	
33	WO 00/06152 A1		02-10-2000	Novopharm Biotech Inc	
34	WO 01/21154 A2		03-29-2001	RTP Pharma Inc	
35	WO 02/82074 A1		10-17-2002	Chiron Corp	
36	WO 02/80678 A1		10-17-2002	Schering Corp	
37	WO 03/45330 A2 & A3		06-05-2003	Onyuksel et al.	
38	WO 03/45660 A1		06-05-2003	BTG Int Ltd	
39	WO 04/103348 A3 & A3		12-02-2004	Baxter International	

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 3

of

4

<i>Complete if Known</i>	
Application Number	10/696,384
Filing Date	October 29, 2003
First Named Inventor	Mahesh Chaubal
Art Unit	1615
Examiner Name	Simon Oh
Attorney Docket Number	IFT-5657A-1A1C6 (3360-0003.02)

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	40	ALLEN, T.M. et al., "Large unilamellar liposomes with low uptake into the reticuloendothelial system", Elsevier Science Publishers B.V., Vol 223, No. 1, pp. 42-46, October , 1987.	
	41	ALLEN, T.M. et al., "Effects on the murine mononuclear phagocyte system of chronic administration of liposomes containing cytotoxic drug or lipid A compared with empty liposomes", Vol 65, pp. 185-190, 1987.	
	42	AQUARO, et al. Antiviral Research 55, pp. 209-225, 2002.	
	43	BENDER et al., "Efficiency of Nanoparticles as a Carrier for Antiviral Agents in Human Immunodeficiency Virus-Infected Human Monocytes/Macrophages In Vitro", Antimicrobial Agents and Chemotherapy, 40(6) , pp. 1467-1471, June 1996.	
	44	CROWE, et al., Journal of Leukocyte Biology, pp. 635-641, November 2003.	
	45	FISCHER-SMITH, et al., Journal of NeuroVirology, 7, pp. 528-541, 2001.	
	46	GRAHAM, D.T., et al., "The Effects of Freezing on Commercial Insulin Suspensions", International Journal of Pharmaceutics, 1978.	
	47	KINMAN et al., Journal of Acquired Immune Deficiency Syndrome, 34(4), pp. 387-397, December 1, 2003.	
	48	LIMOGES et al., poster presentation, 11th Conference on Retroviruses and Opportunistic Infections, February 8-11, 2004.	
	49	MOGHIMI et al., Pharmacological Reviews, 53, pp. 283-318, 2001.	

Examiner Signature		Date Considered
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4

of 4

<b>Complete if Known</b>	
Application Number	10/696,384
Filing Date	October 29, 2003
First Named Inventor	Mahesh Chaubal
Art Unit	1615
Examiner Name	Simon Oh
Attorney Docket Number	IFT-5657A-1A1C6 (3360-0003.02)

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	50	NESBIT et al., Clinical and Diagnostic Laboratory Immunology, 9(3), pp. 515-524, May 2002.	
	51	NOTTET et al., The Neurology of AIDS, p. 55, 1998.	
	52	PERNO et al., The Journal of Infectious Diseases, 178, pp. 413-422, 1998.	
	53	SAWCHUK et al., Advanced Drug Delivery Reviews, 39, pp. 5-31, 1999.	
	54	SCHROEDER, H.G., "Distribution of Radiolabeled Subdivisible Microspheres after Intravenous Administration to Beagle Dogs", Journal of Pharmaceutical Sciences, Vol 67, No 4, pp. 504-507, April 1978.	
	55	SHRAYER, D. et al., "Ceramide, a mediator of apoptosis, synergizes with paclitaxel to induce regression of the L3.6 human pancreatic carcinoma implanted in SCID mice", Journal of Clinical Oncology, Vol 22, No 14S (July 15 Supplement), 2004: 2135.	
	56	SOLAS et al., Antimicrobiology Agents and Chemotherapy, 47 (1), pp. 238-243, January 2003.	
	57	VON BRIESEN, H., "Controlled Release of Antiretroviral Drugs", AIDS Rev., 2, pp. 31-38, 2000.	

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